



**Embassy of the United States of America
Immigrant Visa Unit
Bangkok, Thailand**

**International Adoption - Thailand
Information for American Citizens**

Introduction

U.S. citizens wishing to adopt a child from Thailand should be aware that such an adoption is a complex and lengthy process which may take up to two years to complete. They should also be aware that in addition to Thai adoption procedures, U.S. immigration procedures must be followed before the child can enter the U.S. This information sheet provides an overview of the entire process. However, procedures are subject to change, and all prospective adoptive parents should contact Thai and U.S. Immigration and Consular officials regarding their specific circumstances.

Thai Adoption Procedures

All adoptions in Thailand must be processed through the Child Adoption Center of the Department of Social Development and Welfare (DSDW), which is the sole governmental social welfare agency responsible for adoption of Thai children. Four non-governmental organizations (NGO's) are licensed to deal with DSDW's Child Adoption Center in cases where a child is to be placed abroad, but only three of these NGO's process cases for prospective adoptive parents who reside in the United States. These are:

Holt Sahathai Foundation
850/33 Sukhumvit 71
Bangkok 10110
Mailing address: P.O. Box Nana Nua 1478, Bangkok 10110
Tel. (66) (2) 381-8834

Thai Red Cross Foundation
Chulalongkorn Hospital
corner of Rama IV Road and Rajdamri Road
Bangkok 10330
Tel. (66) (2) 252-8181 or (66) (2) 256-4178

Pattaya Orphanage
Pattaya City, Chonburi
Mailing address: P.O. Box 15, Pattaya City, Chonburi 20151

For complete information and application forms, prospective adoptive parents should contact one of the above agencies or DSDW directly at:

Child Adoption Center
Department of Social Development and Welfare
Rajvithee Home for Girls

Rajvithee Road
Bangkok 10400
Tel. (66) (2) 246-8651

Qualifications:

Thai law stipulates strict requirements and procedures for adoption of children in Thailand. While some of these requirements are currently under review, the U.S. Embassy is not aware of any completed adoption to date in which these basic requirements have been waived. Consequently, inquirers who do not meet the following criteria should contact DSDW before pursuing the matter further. Basic criteria for adoptive parents:

1. You are married;
2. Both you and your spouse are at least 25 years of age;
3. Both you and your spouse are at least 15 years older than the child to be adopted;
4. You are legally qualified under your state law to adopt a child.

Regulations Regarding Adoptive Children:

1. It is not possible to apply for more than one child at a time, except twins, siblings, or in cases of adoption of the children of the applicant's Thai spouse.
2. Parents adopting from Thailand for a second time may request that a DSDW social worker escort the child to the U.S. instead of appearing before the Child Adoption Board as outlined below. All costs of such travel are the responsibility of the adoptive parents.
3. DSDW advises that it is extremely unlikely that an abandoned child under the age of one year would be available for foreign adoption. (NOTE: In the Embassy's experience, it is quite rare for a child under two years of age to be available for foreign adoption.)

Procedures to Adopt A Thai Child:

1. Prospective adoptive parents obtain official DSDW application forms (these forms may be obtained from DSDW or from one of the above NGO's). These forms elicit biographic, health, and financial information about the prospective adoptive parents.
2. Prospective adoptive parents engage an adoption agency or child welfare organization licensed by their state of U.S. residence to perform a home study (this agency must also be recognized by DSDW (a list of recognized agencies is available from DSDW)).

3. The licensed agency or organization in the U.S. assembles the application forms for submission to DSDW. The application must be accompanied by the following:

- completed home study
- confirmation from a competent authority that after the adoption is finalized under Thai law it will also be legalized under the laws of the applicants' state of residence
- formal commitment by the licensed adoption agency in the U.S. to supervise a pre-adoption placement of at least six months, during which at least three bi-monthly progress reports will be provided to DSDW
- medical certificate verifying good physical health, mental stability, and infertility (if applicable) for both prospective adoptive parents
- birth certificates for both parents
- marriage certificate
- proof of termination of any previous marriages (death certificate of spouse or divorce decree)
- proof of occupation and income (letter from employer)
- complete financial statement indicating all assets and liabilities
- recommendations from two responsible persons
- current license of the involved adoption agency
- photographs of both prospective adoptive parents (4 each), 4.5 cm x 6 cm, and of their children (if applicable)
- statement from USCIS or consular officer confirming that the child to be adopted will be the beneficiary of an immigrant visa (NOTE: for U.S. citizens who reside in Thailand, the Consular Section's visa unit will provide a letter to this effect. For U.S. citizens who do not reside in Thailand, evidence of an approved I-600A or I-600 petition is sufficient.)

If the prospective parents reside in the U.S., all the above-listed documents must be authenticated or "verified" by the Thai Embassy or one of the Thai consulates in the U.S. All documents must be in English or Thai, or must be accompanied by English or Thai translations.

4. If the above documentation is acceptable, DSDW (or one of the three NGO's) matches the prospective adoptive parents with a

child. The prospective parents are provided with photos and information about the background and health condition of the child (NOTE: DSDW reserves the right to review and investigate matches made by the NGO's).

5. The prospective adoptive parents must advise DSDW whether they wish to proceed with the adoption of the proposed child. The application will then be given to the Child Adoption Board (CAB) for review. If the Child Adoption Board agrees to the suitability of the prospective adoptive parents for pre-adoption placement of the child, the case is referred to the Minister of Labor and Social Welfare for official authorization. (NOTE: Steps 4 and 5 together frequently take six months to one year to complete).
6. When the pre-adoption placement is approved, a definite appointment is made by DSDW (or one of the NGO's) for the prospective parents to be interviewed by the Child Adoption Board. The meeting with the Board is essentially a formality. If one of the prospective adoptive parents is unable to attend this meeting, he or she must provide written consent. (NOTE: The waiting period for such an appointment may be as long as three months, depending on the CAB's schedule.)
7. DSDW will issue documents necessary for the child's travel, including a Thai passport. These documents will normally be issued on the same day as the meeting with the Board. The parents will also receive the child on the same day (NOTE: Occasionally, issuance of documents takes longer. DSDW advises adoptive parents to plan to stay in Thailand for approximately two weeks total).

At this point, the parents will be eligible to apply for an orphan immigrant visa to the U.S. per instructions below. However, the Thai adoption will not be complete until the following steps have occurred:

8. When the prospective adoptive parents have returned to the U.S. with the child and at least three bi-monthly reports on the pre-adoption placement have been submitted to DSDW, DSDW will refer the case to the Child Adoption Board for approval of final adoption under Thai law.
9. The adoptive parents have to register their adoption under Thai law within six months of notification of finalization by the Board. This can be done at the Thai Embassy or Consulates in the U.S.

U.S. Adoption Procedures

Comprehensive information regarding international adoptions by U.S. citizens is available through the State Department's Consular Affairs Bureau and through the U.S. Citizenship and Immigration Services (USCIS).

Office of Children's Issues
U.S. Department of State
Room 4800

2201 C Street N.W.
Washington, DC 20520-4818
Tel. (202) 647-2688

State Department home page: www.travel.state.gov

USCIS Information Line	1-800-755-0777
Ask Immigration line	1-800-375-5283
USCIS Forms line	1-800-870-3676

USCIS home page: www.uscis.gov

The USCIS pamphlet entitled *The Immigration of Adopted and Prospective Adoptive Children* (M-249Y, Revised, 1990) includes a checklist on orphan petition procedures.

Prospective adoptive parents should be aware that an adopted child may not be brought to the United States without an immigrant visa. They should also note that U.S. law allows for the immigration of two categories of adopted foreign children: orphans and non-orphans. Not all children adopted abroad qualify as orphans; non-orphans may not immigrate to the U.S. without a lengthy waiting period. Please refer to the attached notice concerning classification of adopted children for further information.

In order to apply for an immigrant visa abroad, the U.S. citizen parents must first file a petition with USCIS. This petition, Form I-600, has two parts. Form I-600 is filed when a specific child has been identified for adoption. Form I-600A is filed when the prospective adoptive parents have not yet identified a child for adoption. The prospective parents must file either an I-600 or I-600A petition with the USCIS office having jurisdiction over their place of residence in the U.S. In either case, USCIS transmits notification of approval of the petition to the U.S. consulate in the country where the parents seek to adopt. If an I-600A was filed initially, an I-600 must be filed and approved once a child is identified. Until USCIS has approved an I-600 petition, no immigrant visa may be applied for.

For U.S. citizens who are residents of Thailand, the I-600 and I-600A may be filed at the USCIS Bangkok Office. Questions regarding procedures for filing these forms should be directed to the Bangkok district Director.

Office Location:

Sindhorn Building
15th Floor (Tower 2)
130-132 Wireless Road
Bangkok 10330
Tel. (66) (2) 205-5352
public hours:
8:00 am to 11:30 am and 12:30 pm to 3:00 pm

For U.S. citizens who adopt in Thailand, USCIS notice of approval is sent to the IV Unit of the Consular Section and to the USCIS Bangkok District Office. If an I-600A was filed in the U.S., an

I-600 may be filed with the Bangkok USCIS office once the Thai Child Adoption Board has approved pre-adoption placement. Once USCIS Bangkok has approved the I-600, the child is eligible for an immigrant visa interview.

The Consular Section's Immigrant Visa Unit conducts immigrant visa interviews and issues visas to qualified orphans. Interviews are conducted by appointment only, Monday to Friday mornings. To request an appointment please call or visit the IV Unit any afternoon. Immigrant visas are normally issued on the same day as the visa interview and may be picked up in the afternoon.

The IV Unit strongly urges adoptive parents to call or visit as soon as they arrive in Thailand to pick up immigrant visa forms and instructions. Making contact early is the best way to ensure that there are no unexpected delays later in the application process.

Immigrant Visa Unit
Consular Section
U.S. Embassy Bangkok
95 Wireless Road
Bangkok, Thailand 10330

U.S. mailing address:
U.S. Embassy Bangkok
APO AP 96546

Tel. (66) (2) 205-4287, (66) (2) 205-4753
Fax (66) (2) 254-1171

Home page: www.bangkok.usembassy.gov

Email: visasbkk@state.gov

Hours of Operation:
7:00 am to 4:00 pm (closed 12:00 to 1:00 pm)

Adoption in Thailand by U.S. Citizens Overview

The following summary of the adoption process is intended as a general guideline only. Processing times may vary considerably depending on individual circumstances. Incomplete or incorrect applications and documents will significantly delay processing time. PLEASE NOTE: There is no guarantee that an application will be accepted by the Child Adoption Board or that a child will be matched.

ACTION	TIMEFRAME
1. Contact Department of Social Development and Welfare (DSDW) or authorized Thai NGO for application forms and list of authorized adoption agencies	
2. Engage licensed adoption agency in state of residence to conduct home study	Varies
3. File I-600A (or I-600 if child has been identified) with USCIS office in U.S.	3 - 6 months for USCIS approval
4. Submit completed application to DSDW with all supporting documents	6 to 12 months for DSDW to match approved application with child and receive CAB approval
5. DSDW (or NGO) matches child with adoptive parents	
6. Advise DSDW whether proposed match is acceptable	
7. Child Adoption Board (CAB) reviews match, if approves sends to Ministry of Labor for final approval	
8. Interview with CAB	Approximately 2 months for appointment
9. File I-600 with USCIS (if previously filed I-600A)	Expedited Processing
10. Apply for IR4 immigrant visa at Consular Section IV Unit	Same or next day visa pickup
11. Licensed adoption agency in U.S. supervises pre-adoption placement with at least three bi-monthly visits and reports to CAB	Not less than 6 months
12. CAB approval of final adoption under Thai law	Approximately 2 months
13. Parents register adoption at Thai Department of Social Development and Welfare	Within 6 months of notification of CAB approval

U.S. Department of Justice

Immigration and Naturalization Service

Notice to Prospective Adopting Parents

PROSPECTIVE ADOPTING PARENTS PLEASE TAKE NOTE

The Immigration and Nationality Act allows for the immigration of two categories of adopted foreign children; they are orphans and non-orphans. Most foreign adopted children who immigrate to the United States are classified as orphans. As an individual considering adopting a foreign child, you should remember that not all children adopted abroad qualify as orphans. Non-orphan adopted children are not eligible to immediately immigrate to the United States.

Under immigration law, the definition of orphan is broader than the common definition of orphan. Under immigration law, a foreign child may be considered an orphan if his/her parents have died or disappeared; if they have unconditionally abandoned or deserted him/her; or if he/she is separated or lost from them. Normally, abandonment involves permanent placement of the child in an orphanage. If the natural parents exercise any parental control over the child, its placement or adoption, its support, or indicate an intent to reclaim the child in the future, a finding of abandonment cannot be made.

A foreign child with one parent may be considered an orphan only if the sole or surviving parent is unable to provide proper care for the child and has, in writing, irrevocably released the child for emigration and adoption. The determination of proper care is based upon the local foreign conditions, that is, the parent must be impoverished by local standards. The fact that the living standards of the country are below standards in the United States is not sufficient to satisfy this test.

The definition of orphan guards against the splitting of intact, functioning foreign families. An orphan immigrant visa petition must be filed before the child is 16 years of age.

A non-orphan adopted child (who does **not** have to qualify as an orphan) is a child who has been adopted under the age of 16. **The child must have resided with, and been in the legal custody of, the adopting parent(s) for at least two years prior to the filing of the immigrant visa petition.**

Before you adopt a child abroad, whom you intend to bring to the United States under the orphan procedures, you should be certain that the child is an orphan under immigration law. If you have any questions, please address them to the U.S. Citizenship and Immigration Service. In overseas locations where there is no Service office, you may address your questions to the nearest American Embassy or Consulate.

Please remember:

Not all children adopted abroad qualify as orphans.

If you adopt a non-orphan, you will not be able to bring the child into the United States until he/she has resided abroad with you and has been in your legal custody for at least two years.

Ask before you adopt a child who may be ineligible to accompany you home.

Only a U.S. citizen may petition for an orphan.